

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|-----------------------------|---|------------------------------|
| In re: |) | Chapter 11 Proceeding |
| |) | |
| Joseph Carmen DiCaro |) | Case No. 08-32682 |
| |) | |
| Debtor. |) | Hon. John H. Squires |
| |) | |

FINAL DECREE

THIS MATTER COMING ON to be heard upon the Application for Final Decree and Order of Substantial Consummation (the "Application") filed by the reorganized debtor, Joseph Carmen DiCaro, due and proper notice having been provided to the creditors and parties in interest listed on the Notice of Motion and Hearing filed with the Motion, in accordance with the requirements of Rule 3022 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"); the court having reviewed the Motion, having heard and considered statements of counsel' and it:

APPEARING to the Court that the Reorganized Debtor's did file his Voluntary Petition for Reorganization under Chapter 11 of the Bankruptcy Code (11 U.S.C. §101 et.seq. the "Code") on January 7, 2002; and it further

APPEARING to the Court that the Fifth Amended Plan of Reorganization Proposed by Joseph Carmen Dicaro (the "Plan") was confirmed by order of this Court entered April 7, 2009 and entered on the docket on April 20, 2009; and it further

APPEARING to the Court that the Reorganized Debtor has carried out the terms of the Plan as of the date of this order and otherwise complied with the Court's order confirming the Plan, as required under 11 U.S.C. §1142; and it further

APPEARING to the Court that the Plan has been substantially consummated in accordance with the terms and provisions thereof and that the Reorganized Debtor has made substantial payments required under the Plan; and it further

APPEARING to the Court that the Reorganized Debtor's has and is currently making all payments required of it to his creditors, pursuant to the terms and provisions of this Court's confirmation order and the Plan; and it further

APPEARING to the Court that it is equitable to enjoin and stay all creditors of, claimants against, and persons having or claiming interests of any nature whatsoever in the property and assets of the Reorganized Debtor, from pursuing or attempting to pursue or commence any suits at law, in equity, or otherwise against the Reorganized Debtor or against his property, or against any nominee, assignee, or grantee of the Reorganized Debtor, or against any person or entity claiming by, through or under the Reorganized Debtor on account of, or based on any right, claim or interest which any creditor, claimant, or other person may have had at the date of the filing of the Reorganized Debtor's Chapter 11 case, in, to, or against the Reorganized Debtor and against his property or assets, except with respect to claims, rights or interests arising out of the Plan or orders of this Court; and the Court being otherwise fully advised in the premises.

IT IS HEREBY ORDERED that:

1. Notice has been properly given.
2. The Plan of Reorganization filed by the Reorganized Debtor, Joseph Carmen DiCaro, has been substantially consummated in accordance with the terms and provisions thereof.
3. The Reorganized Debtor's final accounting, as set forth in the Application and accompanying affidavit, is approved.

4. The Clerk of the Court is directed to close the above-captioned bankruptcy case.

Dated: **AUG - 6 2009**

Entered: _____

Hon. John H. Squires

John H. Squires (aa)